



## DECLARATION AND POWER OF ATTORNEY

As a below named inventor, I hereby declare that

My residence, mailing address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled:

### METHOD AND APPARATUS FOR DELIVERING BUILDING SAFETY

Case No: 28747.0004 the specification of which

(check  
one) X is attached hereto  
       was filed on as  
X Application Serial No. 10/097,783  
       and was amended on                       
(if applicable)

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims as amended by any amendment referred to above.

I acknowledge the duty to disclose to the United States Patent Office all information which is known to me to be material to the patentability of this application in accordance with Title 37, Code of Federal Regulations. 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.<sup>1</sup>

I do not know and do not believe this invention was ever known or used in the United States of America before my or our invention thereof, or patented or described in any printed publication in any country before my or our invention thereof or more than one year prior to this application, that the same was not in public use or on sale in the United States of America more than one year prior to this application, and I believe that the invention has not been patented or made the subject of an inventor's certificate issued before the date of this application in any country foreign to the United States of America on an application filed by me or my legal representatives or assigns more than twelve months prior to this application, and that no application for patent or inventor's certificate on this invention has been filed in any country foreign to the United States of America prior to this application by me or my legal representatives or assigns, except as identified below:

I hereby claim the benefit under Title 35, United States Code, §119(e) of any U.S. provisional application(s) listed below:

#### **Prior Provisional Application(s):**

<u>Number</u>	<u>Country</u>	<u>Date</u>
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<sup>1</sup> (b) Under this section, information is material to patentability when it is not cumulative to information already of record or being made of record in the application, and

(1) It establishes, by itself or in combination with other information, a *prima facie* case of unpatentability of a claim; or

(2) It refutes, or is inconsistent with, a position the application takes in:

(i) opposing an argument of unpatentability relied on by the Office, or

(ii) asserting an argument of patentability.

A *prima facie* case of unpatentability is established when the information compels a conclusion that a claim is unpatentable under the preponderance of evidence, burden of proof standard, giving each term in the claim its broadest reasonable construction consistent with the specification, and before any consideration is given to evidence which may be submitted in an attempt to establish a contrary conclusion of patentability.

I hereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s) or PCT international application(s) designating the United States of America that is/are listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in that/those prior application(s) in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, § 1.56 which occurred between the filing date of the prior application(s) and the national or PCT international filing date of this application.

**Prior U.S. Applications Or PCT International Applications  
Designating The U.S. For Benefit Under 35 USC 120**

<u>U.S. Applications</u>		<u>Status (Check One)</u>		
<u>U.S. Applications</u>	<u>U.S. Filing Date</u>	<u>Patented</u>	<u>Pending</u>	<u>Abandoned</u>

I hereby claim foreign priority benefits under Title 35, United States Code, § 119 or § 365 of any foreign application(s) for patent, inventor's or plant breeder's certificate(s), or of any PCT international application which designated at least one country other than the United States of America, listed below:

**Prior Foreign Application(s):**

<u>Number</u>	<u>Country</u>	<u>Date</u>
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and have also identified below any foreign application for patent, inventor's or plant breeder's certificate(s) or any PCT international application having a filing date before that of the above listed application on which priority is claimed:

**Prior Foreign Application(s):**

<u>Number</u>	<u>Country</u>	<u>Date</u>
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If no priority is claimed, I have identified all foreign patent applications filed prior to this application:

**Prior Foreign Application(s):**

<u>Number</u>	<u>Country</u>	<u>Date</u>
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I hereby appoint the following attorneys, power of substitution and revocation, to prosecute this application and to transact all business in the United States Patent and Trademark Office connected therewith: and request that all correspondence and telephone calls in respect to this application be directed to:


Richard A. Jones, Reg. No. 39,242  
Michael Schaldenbrand, Reg. No. 47,923  
John M. Naber, Reg. No. 46,487

Lisa E. Marks, Reg. No. 44,901  
Craig A. Phillips, Reg. No. 47,858  
Robert Dunn, Reg. No. 30,556  
Jeffrey S. Molinoff, Reg. No. 54,857  
Egerton A. Campbell, Reg. No. 51,307

I further direct that all correspondence and telephone calls concerning this application be directed to:

DICKINSON WRIGHT PLLC  
1901 L Street, N.W.  
Suite 800  
Washington, DC 20036  
Tel: (202) 457-0160

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of sole or first inventor Ramon DIAZ  
Inventor's signature  Date 12/26/06  
Residence 1205 Blair Avenue, South Pasadena, CA 91030  
Citizenship United States  
Mailing Address 1205 Blair Avenue, South Pasadena, CA 91030

Full name of second inventor \_\_\_\_\_  
Inventor's signature \_\_\_\_\_ Date \_\_\_\_\_  
Residence \_\_\_\_\_  
Citizenship \_\_\_\_\_  
Mailing Address \_\_\_\_\_

Full name of third inventor \_\_\_\_\_  
Inventor's signature \_\_\_\_\_ Date \_\_\_\_\_  
Residence \_\_\_\_\_  
Citizenship \_\_\_\_\_  
Mailing Address \_\_\_\_\_

Full name of fourth inventor \_\_\_\_\_  
Inventor's signature \_\_\_\_\_ Date \_\_\_\_\_  
Residence \_\_\_\_\_  
Citizenship \_\_\_\_\_  
Mailing Address \_\_\_\_\_

**Method & Apparatus for Delivering Building Safety Information**  
**U.S. Utility Patent Application No. 10/711, 288**

**ASSIGNMENT**

**WHEREAS WE,**

Ramon DIAZ, having an address at 1205 Blair Avenue, South Pasadena, California 91030,

**AND,**

Olga DIAZ, having an address at 1205 Blair Avenue, South Pasadena, California 91030,

(hereinafter "Assignors"),

have made a certain new and useful invention as set forth in an application for United States of America entitled "Method & Apparatus for Delivering Building Safety Information" (hereinafter "Building Safety Information") for which U.S. Patent Application No. 10/711,288, filed on September 8, 2004, claiming priority to U.S. Patent Application No. 097,783, filed on March 13, 2002 (hereinafter "the '783 Patent Application"); and

**WHEREAS Sure-Path Solutions** , a company organized under the laws of California, having an address at P.O. Box 278, South Pasadena, California 91031 (hereinafter "Assignee"), is desirous of acquiring the entire right, title, and interest in and to said invention, and in and to any and all Letters Patent of the United States and foreign countries which may be obtained therefore;

**WHEREAS**, Assignors desire to assign their entire right, title, and interest throughout the world in and to the said BUILDING SAFETY INFORMATION and the '288 and '783 Patent Applications;

**Method & Apparatus for Delivering Building Safety Information**  
**U.S. Patent Application No. 10/711,288**

**AND WHEREAS** Assignee desires to acquire the entire right, title, and interest throughout the world in and to the said BUILDING SAFETY INFORMATION and the '288 and '783 Patent Applications in accordance with the terms and conditions of this instrument;

**NOW, THEREFORE**, for good and valuable consideration, the receipt for and sufficiency of which is hereby acknowledged, Assignors do hereby sell, assign, transfer and set over unto Assignee, its legal representatives, successors and assigns, their entire right, title and interest in and to said Application, including the right to claim priority under 35 U.S.C. §119 and the right to sue for past infringement, as set forth in the Application, including any national stage filings, continuations, continuations-in-part, divisions, reissues, re-examinations or extensions thereof, and in and to any and all patents of the United States and foreign countries which may be issued from said Application;

**UPON SAID CONSIDERATION**, Assignors hereby agree with the said Assignee that Assignors will not execute any writing or do any act whatsoever conflicting with these presents, and that Assignors will, at any time upon request, without further or additional consideration but at the expense of said Assignee, execute such additional assignments and other writings and do such additional acts as said Assignee may deem necessary or desirable to perfect the Assignee's enjoyment of this grant, and render all necessary assistance in making application for and obtaining original, divisional, continuations, continuations-in-part, reexamined, reissued, or extended Letters Patent of the United States or of any and all foreign countries on said invention, and in enforcing any rights or chooses in action accruing as a result of such applications or patents, by giving testimony in any proceedings or transactions involving such applications or

**Method & Apparatus for Delivering Building Safety Information**  
**U.S. Patent Application No. 10/711,288**

patents, and by executing preliminary statements and other affidavits, it being understood that the foregoing covenant and agreement shall bind, and inure to the benefit of the assigns and legal representatives of Assignors and Assignee;

**THE UNDERSIGNED HEREBY GRANTS** the firm of DICKINSON WRIGHT PLLC the power to insert on this Assignment any further identification, including the application number and filing date, which may be necessary or desirable in order to comply with the rules of the United States Patent and Trademark Office for recordation of this document.

**AND** Assignors request the Commissioner of Patents and Trademarks to issue any Letters Patent of the United States which may be issued for said invention to said Assignee, its legal representatives, successors or assigns, as the sole owner of the entire right, title and interest in and to said patent and the invention covered thereby.

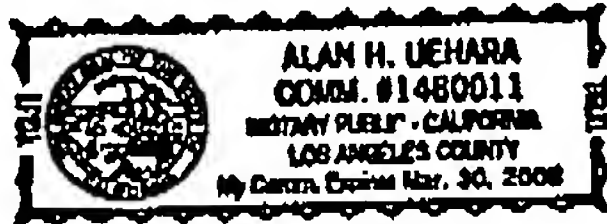
**IN WITNESS WHEREOF**, Assignors have executed this Assignment.

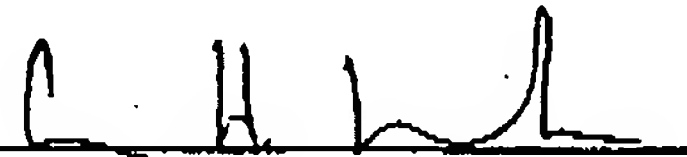
Method & Apparatus for Delivering Building Safety Information  
U.S. Patent Application No. 10/711,288

By:   
Ramon Diaz

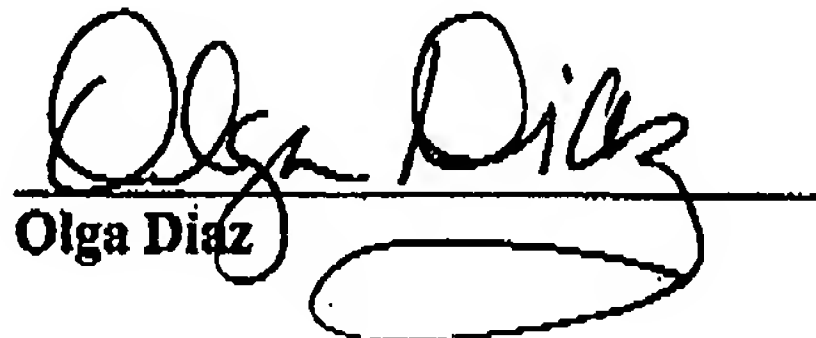
State of California )  
County of LOS ANGELES ) ss:

RAMON DIAZ, being duly sworn, did depose and say this 25<sup>th</sup> day of October, 2006 that he is authorized to execute this Assignment; that he has read and signed the foregoing Assignment and knows and understands the contents thereof.



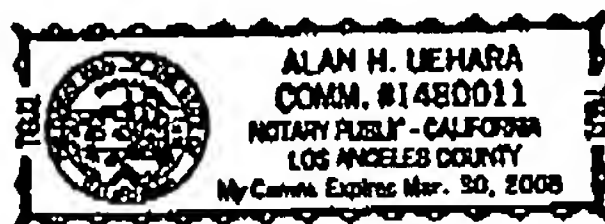
  
Notary Public

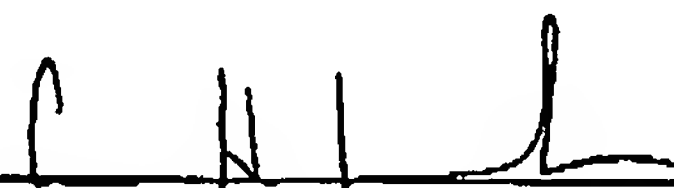
My Commission expires: MARCH 30, 2008

By:   
Olga Diaz

State of California )  
County of LOS ANGELES ) ss:

OLGA DIAZ, being duly sworn, did depose and say this 25<sup>th</sup> day of October, 2006 that ~~he~~ <sup>she</sup> is authorized to execute this Assignment; that ~~he~~ <sup>she</sup> has read and signed the foregoing Assignment and knows and understands the contents thereof.



  
Notary Public

My Commission expires: MARCH 30, 2008